

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF

**Permanency Plan
Hearing Order****Indian Child Welfare Act**

Name _____

Date of Birth _____

Case No. _____

A request for hearing was filed with the court and notice was given to all interested parties.

A hearing was held on (Date) _____, which is the effective date of this order.

THE COURT REVIEWED THE PERMANENCY PLAN FILED BY THE AGENCY AND FINDS:

1. a. The permanence goal for the child/juvenile has been

- ☐ return to the home.
☐ adoption.
☐ placement with a guardian.
☐ permanent placement with a fit and willing relative.
☐ placement in one of the following alternative permanent placements
☐ long term foster/residential care. ☐ independent living. ☐ sustaining care.

- b. This goal
- ☐
- meets
- ☐
- does not meet the needs of the child/juvenile.

- c. The permanency plan has or has not been complied with as follows:

	<u>complied with</u>	<u>not complied with</u>
<input type="checkbox"/> agency	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> service provider	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> mother	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> father	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile's guardian (if any)	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

- d. The department or agency ☐ has ☐ has not identified the date by which the child/juvenile will likely be placed to conform with this permanence goal. (Date) _____.

- ☐
2. a. The concurrent permanence goal for the child/juvenile has been

- ☐ return to the home.
☐ adoption.
☐ placement with a guardian.
☐ permanent placement with a fit and willing relative.
☐ placement in one of the following alternative permanent placements
☐ long term foster/residential care. ☐ independent living. ☐ sustaining care.

- b. This goal
- ☐
- meets
- ☐
- does not meet the needs of the child/juvenile.

- c. The permanency plan has or has not been complied with as follows:

	<u>complied with</u>	<u>not complied with</u>
<input type="checkbox"/> agency	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> service provider	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> mother	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> father	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile's guardian (if any)	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

d. The department or agency ☐ has ☐ has not identified the date by which the child/juvenile will likely be placed to conform with this concurrent permanence goal. (Date) _____.

3. The placement of the child/juvenile ☐ continues ☐ no longer continues to be necessary, safe and appropriate.

4. Adequate efforts ☐ have ☐ have not been made to involve the appropriate service providers in meeting the special needs of the child/juvenile and his or her parent(s).

5. Sufficient progress ☐ has ☐ has not been made in eliminating the causes for the child's/juvenile's out-of-home placement and toward returning the child/juvenile safely to his or her home or toward obtaining a permanent placement for the child/juvenile.

☐ 6. The child/juvenile has been placed out side of his or her home in a foster home, group home, nonsecured residential care center for children and youth, or shelter care facility for 15 of the most recent 22 months.

The permanency plan is

☐ appropriate.

☐ not appropriate because it fails to sufficiently address the circumstances which prevent the child/juvenile from

☐ being returned safely to the home;

☐ being placed safely in the home of a fit and willing relative;

☐ having a petition for involuntary termination of parental rights filed on behalf of the child/juvenile;

☐ being placed for adoption;

☐ being placed with a guardian;

☐ being placed in some other alternative permanent placement, including sustaining care, independent living, or long term foster care/residential care.

7. Reasonable efforts to achieve the goal of the permanency plan, including through an out-of-state placement if appropriate, were

☐ made by the department or agency responsible for providing services.

☐ not made by the department or agency responsible for providing services.

8. Reasonable efforts to place the child/juvenile in a placement that enables the sibling group to remain together were

☐ made.

☐ not required because the child/juvenile does not have siblings in out-of-home care.

☐ not required because it would be contrary to the safety or well being of the child/juvenile or any of the siblings.

9. Active efforts were

☐ made to provide remedial services and rehabilitation programs designed to prevent the breakup of the Indian family and those efforts have proved unsuccessful. ☐ Specify: _____

☐ not made to provide remedial services and rehabilitation programs designed to prevent the breakup of the Indian family.

10. ☐ Placement was made in accordance with the order of preference set forth in the Indian Child Welfare Act.
OR
☐ There is good cause to depart from the order of placement preference in the Indian Child Welfare Act.
☐ Specify: _____

THE COURT ORDERS:

1. The permanence goal for the child/juvenile ☐ remains ☐ is changed to
☐ return to the home.
☐ adoption.
☐ placement with a guardian.
☐ permanent placement with a fit and willing relative.
☐ placement in one of the following alternative permanent placements
☐ long term foster/residential care. ☐ independent living. ☐ sustaining care.
- ☐ 2. The concurrent permanence goal for the child/juvenile ☐ remains ☐ is changed to
☐ return to the home.
☐ adoption.
☐ placement with a guardian.
☐ permanent placement with a fit and willing relative.
☐ placement in one of the following alternative permanent placements
☐ long term foster/residential care. ☐ independent living. ☐ sustaining care.
3. The parent(s) who appeared in court have been orally advised of the applicable grounds for termination of parental rights (TPR) and the conditions that are necessary for a safe return to the home or a restoration of visitation rights. Written TPR Warnings are attached.
- ☐ 4. The child/juvenile has one or more siblings in out-of-home care and the child/juvenile is not placed with all those siblings.
☐ The department or agency shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the child/juvenile and any siblings.
☐ The department or agency is not required to provide for frequent visitation or other ongoing interaction because it would be contrary to the safety or well being of the child/juvenile or any siblings.
- ☐ 5. Other: _____
- ☐ 6. The department or agency shall file a new permanency plan with the court. (Date) _____
- ☐ 7. The department or agency shall file a request to change placement with the court by (Date) _____.

THIS IS A FINAL ORDER FOR PURPOSES OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.

DISTRIBUTION:

1. Original - Court
2. Child/Juvenile and Attorney
3. Parents/Guardian/Indian Custodian
4. Legal and/or Physical Custodian/Attorney (if any)
5. Social Worker
6. Guardian ad Litem
7. District Attorney/Corporation Counsel
8. Placement Location
9. Court Appointed Special Advocate
10. Tribe
11. Other: _____

BY THE COURT:

☐ Circuit Court Judge ☐ Circuit Court Commissioner

Name Printed or Typed

Date